



MAIL STOP - PCT  
Attorney Docket No.: 27599U  
Attorney: GMN / SMM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Art Unit: Unknown

KAUTZ, Ulrich

Examiner: Unknown

Appl. No.: 10/590,805

Filing Date: August 25, 2006

Intl. Appl. No.: PCT/EP2005/050946

Intl. Filing Date: March 3, 2005 (03.03.2005)

For: **NOVEL HETEROCYCLE-SUBSTITUTED HYDROXY-6-PHENYLPHENANTHRIDINES  
AND THEIR USE AS PDE4 INHIBITORS**

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

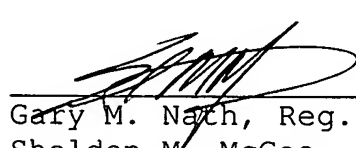
Sir:

Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- 1) Information Disclosure Statement;
- 2) PTO-Form 1449 citing 32 references;
- 3) Copies of 26 of the 32 cited references.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account Number 14-0112.

Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

  
Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
Customer No. 34375

GMN/SMM/ct



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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. 1.97-1.98. Please note the following particulars: [NOTE: One only of items a, b, c, and d must be checked.]

- a. ☒ [XXX] The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.
- b. ☐ [ ] The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311.  
The enclosed statement is accompanied by [check one]:  
☐ [ ] i. a certification in part (e) below as specified in 37 C.F.R. 1.97(e), or  
☐ [ ] ii. a check in the amount required by 37 C.F.R. 1.17(p).
- c. ☐ [ ] The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. 1.113, or a notice of allowance under 37 C.F.R. 1.311, but before payment of the issue fee.  
☐ [ ] Certification report(e) below; and  
☐ [ ] a check in the amount as required by 1.17(p).

d. ☐ The enclosed statement is being filed pursuant to 37 C.F.R. 1.97(i), for placement in the file.

e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]

☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,

or

☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

or

☐ Appropriate certification is attached.

f. [XXX] If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.

g. [XXX] Copies of the documents are attached herewith with a completed Form PTO-1449.

Or

☐ Copies of the documents are not attached as allowed under CFR 1.98(d)(1)(2). The earlier application is identified as:

and / or

[XXX] Copies of US Patents/Publications not attached as allowed in Official Gazette Aug. 5, 2003/ Vol. 1273, no. 1.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

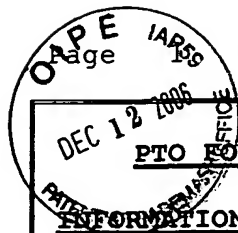
Respectfully submitted,  
**NATH & ASSOCIATES PLLC**

December 12, 2006

By: 

Gary M. Nath, Reg. No. 26,965  
Sheldon M. McGee, Reg. No. 50,454  
Customer No. 34375

ct



<b>PTO FORM-1449</b> <b>INFORMATION DISCLOSURE</b> <b>CITATION</b>		Inventor(s): KAUTZ, Ulrich	
Appl. No.: 10/590,805		Intl. Appl. No.: PCT/EP2005/050946	Art Unit: UNKNOWN
Filing Date: August 25, 2006		Intl. Filing Date: March 3, 2005 (03.03.2005)	Examiner: UNKNOWN

**U.S. PATENT DOCUMENTS**

Exam. Initial	Document No.	Issue/Public. Date	Inventor	Filing Date
A1	6,121,279	19 Sep 2000	Gutterer	18 Jul 1998
A2	6,127,378	03 Oct 2000	Gutterer	24 Mar 1997
A3	6,191,138	20 Feb 2001	Gutterer	30 Jan 1997
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**OTHER**

Exam. Initial	(Including Author, Title, Date, Pertinent Pages, etc.)
A34	
A35	
A36	
A37	

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP'609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.